

HOUSE BILL NO. 403

INTRODUCED BY R. JORE

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A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE II, SECTION 3, OF THE MONTANA CONSTITUTION TO PROVIDE FOR THE RIGHT TO LIFE, DEFINING "PERSON" FOR THE PURPOSES OF ARTICLE II, PROVIDING THAT THE RIGHT TO LIFE DOES NOT AFFECT THE DEATH PENALTY, AND REQUIRING IMPLEMENTATION BY LEGISLATION."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Article II, section 3, of The Constitution of the State of Montana is amended to read:

"Section 3. Inalienable Right to life and inalienable rights. (1) Every person has a paramount and fundamental right to life.

(2) All persons are ~~born~~ created free and have certain inalienable rights from the moment of conception. They include the right to a clean and healthful environment and the rights of pursuing life's basic necessities, enjoying and defending their lives and liberties, acquiring, possessing and protecting property, and seeking their safety, health and happiness in all lawful ways. In enjoying these rights, all persons recognize corresponding responsibilities.

(3) As used in this article, "person" includes a human being at all stages of human development or life, including the state of fertilization, regardless of age, health, level of functioning, or condition of dependency.

(4) Subsections (1) and (3) and the language regarding the moment of conception in subsection (2) must be implemented by legislation.

(5) NOTHING IN THIS SECTION PROHIBITS OR OTHERWISE AFFECTS A SENTENCE OF DEATH IMPOSED BY THE STATE AS A PENALTY FOR CRIMINAL CONDUCT."

NEW SECTION. **Section 2. Submission to electorate.** This amendment shall be submitted to the qualified electors of Montana at the general election to be held in November 2008 by printing on the ballot the full title of this act and the following:

[] FOR amending the constitution to provide that all persons have a right to life and defining

1 "person" for the purposes of Article II.
2 [] AGAINST amending the constitution to provide that all persons have a right to life and defining
3 "person" for the purposes of Article II.
4 - END -